

**LACASSE & ASSOCIATES**

PROFESSIONAL PATENT SERVICES

1725 Duke Street, Suite 650

Alexandria, Virginia 22314

Phone (703) 838-7683/Facsimile (703) 838-7684

E-Mail: patserv@lacasse-patents.com

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MAR 09 2005

**CONFIDENTIAL
FACSIMILE TRANSMITTAL SHEET****DATE SENT:** March 9, 2005**DELIVER TO:****Name:** Kenya A. McLaughlin**Company:** USPTO / Petitions Branch**Phone No:** 571-272-3222**Fax No:** 703-872-9306**FROM:** Randy W. Lacasse**YOUR FILE:** 09/818,909

THERE WILL BE A TOTAL OF **6** PAGE(S) INCLUDING THIS COVER SHEET.
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- ☒ Renewed Petition
☒ Petition for Revival of an Application for Patent Abandoned
Unintentionally Under 37 CFR 1.137(b)
☒ Fee Transmittal (in duplicate)

10-377 US CIP
09/818,909**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Morozov

Serial No.: 09/818,909

Group Art Unit: 2877

Filed: 3/28/2001

Examiner: K. KIANNI

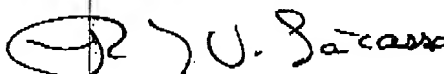
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CENTRAL FAX CENTER**MAR 09 2005**Title: *Spectral Power Equalizer for Wavelength-Multiplexed Optical Fiber Communication Links***RENEWED PETITION**Mail Stop Petitions
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22314

Sir:

Further to the Decision on Petition mailed February 17, 2005, Applicants wish to reply as follows:

At the time the original Petition to Revive was filed, Mr. Thien Tran was an authorized user of the Deposit Account provided. However, he was removed some time after January 12, 2005. Applicant submits herewith a new Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b). It is respectfully requested that this new Petition be granted and the application passed to Issuance.

Respectfully submitted,

Randy W. Lacasse
Registration No. 34368Lacasse & Associates, LLC
1725 Duke Street
Suite 650
Alexandria, Virginia 22314
(703) 838-7683
JDS-3011888

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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

10-377 US CIP

First named inventor: Valentine N. Morozov

Application No.: 09/818,909

Art Unit: 2412

Filed: 03/28/2001

Examiner: Kaveh C. Kianni

Title: Spectral Power Equalizer for Wavelength-Multiplexed Optical Fiber Communication Links

Attention: Office of Petitions
Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995 and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee
☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1500 (37 CFR 1.17(m))
2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
 the form of _____ (identify type of reply):

☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1630

☒ has been paid previously on 3/28/2004
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE


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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature

3/9/05

Date

Randy W. Lacasse

Typed or printed name

34368

Registration Number, if applicable

1725 Duke Street, Suite 650, Alexandria, VA 22314

Address

703-838-7683

Telephone Number

Address

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

Date

Signature

Brandi Franklin

Typed or printed name of person signing certificate

[Page 2 of 2]

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,500.00)

Complete if Known

Application Number	09/818,909
Filing Date	3/28/2001
First Named Inventor	Morozov
Examiner Name	K. Kianni
Art Unit	2877
Attorney Docket No.	10-377 US CIP

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit
Account
Number
Deposit
Account
Name

12-0010

Lacasse & Associates, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	**Reissue independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 60	2052 26	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 880	2253 480	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,500	2453 500	Petition to revive - unintentional	1500
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1500)

SUBMITTED BY

Name (Print/Type)

Randy W. Lacasse

Signature

Randy W. Lacasse

Registration No.
(Attorney/Agent)

34368

Complete (if applicable)

Telephone

(703) 838-7683

Date

03/09/2005

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First Named Inventor Morozov
Examiner Name K. Kianni
Art Unit 2877
Attorney Docket No. 10-377 US CIP

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number
Deposit Account Name

12-0010

Lacasse & Associates, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
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1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	700	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-3**=	X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$0)

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

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1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
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2251	110	2251	65	Extension for reply within first month	
2252	430	2252	215	Extension for reply within second month	
2253	880	2253	430	Extension for reply within third month	
2254	1,630	2254	765	Extension for reply within fourth month	
2255	2,080	2255	1,040	Extension for reply within fifth month	
2401	340	2401	170	Notice of Appeal	
2402	340	2402	170	Filing a brief in support of an appeal	
2403	300	2403	150	Request for oral hearing	
2451	1,510	2451	1,510	Petition to institute a public use proceeding	
2452	110	2452	65	Petition to revive - unavoidable	
2453	1500	2453	600	Petition to revive - unintentional	1500
2501	1,370	2501	685	Utility issue fee (or reissue)	
2502	480	2502	245	Design issue fee	
2503	660	2503	330	Plant issue fee	
2460	130	2460	130	Petitions to the Commissioner	
1807	60	1807	60	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
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1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1500)

SUBMITTED BY

Name (Print/Type)

Randy W Lacasse

Signature

Registration No.
(Attorney/Agent)

34368

Complete (if applicable)

Telephone

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Date

03/09/2005

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